REMARKS

In the Office Action dated February 20, 2003, in paragraph 4, the Examiner objected to the disclosure because of the use of bullet lists in the specification and in the claims. The indicated paragraphs of the specification have been corrected to remove the bullet points and the claims amended to do so as well. Accordingly, it is respectfully requested that this objection be withdrawn.

In the Office Action dated February 20, 2003, in paragraphs 5-6, the Examiner has rejected claims 1-3 and 9-11 under 35 U. S. C. § 102(e) as being anticipated by Baxter et al. (U. S. Patent 6,356,903). Applicants respectfully traverse this rejection. Applicants' traverse notwithstanding, Claim 1 has been amended to more clearly claim a method for designing a coordinated content management and delivery system by determining key considerations of the user and providing key processes related to the user's needs. The key considerations and processes are more clearly articulated in amended claim 1 to distinguish over Baxter et al. More specifically, currently amended claim 1 recites as follows:

Claim 1 (Currently Amended): A method for designing a coordinated content management and delivery system comprising the acts of:

determining key considerations related to the client environment, the key considerations comprising: what combination of channels and related devices are to be supported and what content related processes are needed to support publishing;

providing key processes for use in developing a solution to a system design problem, the system design problem being the determination of what content management and delivery products and processes to implement, and how to implement them, wherein the key processes comprise

capture and use of customer's user preferences;

application of business rules to user preferences to determine future content development;

access control for the content management system;

metadata capture including author, date of creation and topic; and

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applying these key considerations and processes to the system design problem with the assistance of a framework showing basic content management and delivery element relationships, whereby such a solution to the system design problem is produced.

In contrast, Baxter et al. teaches a system which offers a solution to **only one part** of the "content Management and Delivery" problem, that is, **the storing & display of the content fragments**. (Abstract; col. 1, lines 6-9; col. 2, lines 1-11). Baxter, like the system Vignette™ described in the specification at page 3, line 4 and page 26, lines 16-21, only provides one way to manage the data fragments by separating them from the templates which describing a way to display the data.

Amended independent claim 1 clearly distinguishes over Baxter et al. by determining a plurality of user related key considerations which are not limited to **requesting content** (Baxter col. 4, lines 38-42), and by providing a plurality of key processes which are not limited to **organizational and format components** (Baxter col. 5, lines 48-51). Amended independent claim 1 clearly indicates that the key considerations comprise determining **what combination of channels and related devices are to be supported and what content related processes are needed to support publishing** and the key processes comprise

> **capture and use of customer's user preferences;**
>
> **application of business rules to user preferences to determine future content** **development;**
>
> **access control for the content management system;**
>
> **metadata capture including author, date of creation and topic;**

It is respectfully submitted that Baxter et al. does not teach applicants' invention as articulated in amended independent claim 1. It is submitted, therefore, that amended independent claim 1 and claims which either directly or indirectly depend therefrom distinguish over Baxter et al., and it is respectfully requested that the section 102(e) rejection be withdrawn.

In the current office action, the Examiner rejected both independent claim 1 and independent claim 9 on the same basis as indicated above. It is respectfully submitted that, amended independent claim 9 clearly distinguishes over Baxter et al. by positively articulating that the key considerations which relate to a client environment comprise " **what combination of channels and related devices are to be supported and what content related processes are needed to support publishing**" and are not limited to "requesting content" as indicated by

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Baxter et al (col. 4, lines 38-42). Amended independent claim 9 further distinguishes over Baxter et al by positively articulating that the key processes for use by the system comprise " **capture and use of customer's user preferences;**

>**application of business rules to user preferences to determine future content** development;

>>**access control for the content management system;**
>>**metadata capture including author, date of creation and topic;**

and are not limited as in Baxter et al. (col. 5, lines 48-51) to "organizational and format components."

It is respectfully submitted therefore that Baxter et al. does not teach applicants' invention as articulated in amended independent claim 9. It is submitted, therefore, that amended independent claim 9 and claims which either directly or indirectly depend therefrom distinguish over Baxter et al. and it is respectfully requested that the section 102(e) rejection be withdrawn.

Dependent claims 2-3 which depend from amended independent claim 1 and dependent claims 10-11 which depend from amended independent claim 9 are therefore also allowable since amended independent claims 1 and 9 are shown to be allowable. Therefore, it is requested that the section 102(e) rejection be withdrawn and these claims passed to issue.

In the office action dated February 20, 2003 at paragraph 8, the Examiner has rejected dependent claims 4-8 and 12-16 under 35 U. S. C. § 103(a) as being unpatentable over Baxter et al. (U. S. Patent 6,356,903) as applied to claims 1 and 9 above, in further view of Swartz et al. (U. S. Patent 6,236,994). Applicants respectfully traverse this rejection.

As indicated above, Baxter does not teach the amended independent claims 1 and 9. Swartz, like Baxter, teaches a system that has nothing to do with Applicant's method and system as claimed. Swartz teaches 'interoperability and synchronization between heterogeneous document and data sources' -(page 1, lines 12-15). The focus of Swartz is on data and documents versus content, data and documents for the purpose of assembling "regulatory" reports for assisting "regulatory" knowledge workers who are responsible for making and supporting conclusions based on a complete set of information sources. Swartz teaches doing this by saying that "implementation of such a framework necessarily includes tools that, as described above, provide: a mechanism to automatically build an integration knowledge base based on user-specified linkages useful for processing information in support of analysis and

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decision making; graphically represent the integrated knowledge base; and enable the construction of regulatory proof (a logical argument based on assertions that support some hypotheses - the goal is to help clarify the 'reasoning' used to reach the conclusion - and should be useful throughout the knowledge generation life cycle by enabling identification of the existence or lack of supporting data, contradictory data, and facilitating exploration of the impact of new data)." (Col. 18, line 54 to Col. 19, line 4). Thus, the "framework" of Swartz is used to provide a "mechanism to automatically build an integration knowledge base based on user-specified linkages useful for processing information in support of analysis and decision making; graphically represent the integrated knowledge base; and *enable the construction of regulatory proof*". This "framework" does not teach applicant's framework for "showing basic content management and delivery element relationships, whereby such a solution to the system design problem is produced," and where the system design problem in question is "the determination of what content management and delivery products and processes to implement, and how to implement them" as positively articulated by amended independent claims 1 and 9.

Accordingly, Swartz does not teach Applicant's invention as claimed in the amended claims directly, nor does it teach Applicant's invention in combination with Baxter which itself does not teach the amended claims.

Moreover, as these claims 4-8 and 12-16 depend from amended independent claims 1 and 9 respectively, and as amended independent claims 1 and 9 are shown above to be allowable, these dependent claims are also therefore allowable. The patent office is therefore respectfully requested to withdraw the section 103(a) rejections of claims 4-8 and 12-16.
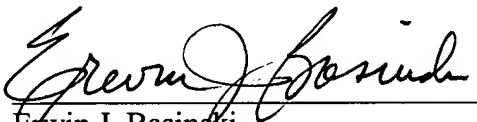
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CONCLUSION

As indicated above, the revisions to the specification which were required have been made and are submitted herewith. No new matter has been added. Claims 1 and 9 are currently amended. Claims 1-16 are pending and all claims now pending have been shown to be allowable. It is, therefore, respectfully requested that the application be passed to issue.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 426882000500. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

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